

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

| | | |
|--------------------------------------|---|--------------|
| MIGUEL OLMO | : | CIVIL ACTION |
| | : | |
| v. | : | |
| | : | |
| PENNSYLVANIA DEPARTMENT OF | : | |
| CORRECTIONS, SUPERINTENDENT | : | |
| TAMMY FERGUSON, WELLPATH, LLC | : | |
| Formerly known as Correct Care, LLC, | : | |
| Medical Director STEPHEN WEINER | : | |
| D.O., JENNIFER DUMAS, CRNP, JILL | : | |
| MCGINLEY RN, FRANCINE MUSETTI RN, | : | |
| CYNTHIA CURRIE, MONIQUE AUGUSTE | : | |
| LPN, KATHERINE MORRIS RN, JOHN | : | |
| DOE MEDICAL PROVIDERS I-V, JANE | : | |
| DOE MEDICAL PROVIDERS I-V, JOHN | : | |
| DOE CORRECTIONAL OFFICERS I-V, | : | |
| JANE DOE CORRECTIONAL OFFICERS | : | |
| I-V and SARAH FARRELL CRNP | : | NO. 21-4333 |

ORDER

NOW, this 31st day of May, 2022, upon consideration of defendant Jennifer Dumas' Motion to Dismiss Plaintiff's Amended Complaint (Doc. No. 55), the plaintiff's response, and the defendant's reply, it is **ORDERED** that the motion is **GRANTED** in part and **DENIED** in part.

IT IS FURTHER ORDERED:

1. To the extent that the motion seeks to dismiss Count I, it is **GRANTED**.
2. To the extent that the motion seeks to dismiss Counts II, it is **DENIED**.
3. Count I is **DISMISSED** as to the defendant Jennifer Dumas.

/s/ Timothy J. Savage
TIMOTHY J. SAVAGE, J.